

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 BY REQUEST OF THE ATTORNEY GENERAL

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE PROOF OF FINANCIAL RESPONSIBILITY
7 NECESSARY TO OBTAIN A DRIVER'S LICENSE; REQUIRING THE FILED PROOF TO BE KEPT UP TO DATE;
8 PROVIDING FOR A WAIVER FOR A PERSON MOVING TO ANOTHER JURISDICTION; AMENDING SECTION
9 61-6-131, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12

13 **Section 1.** Section 61-6-131, MCA, is amended to read:

14 **"61-6-131. When proof of financial responsibility required.** (1) ~~Whenever~~ If the department ~~under~~
15 ~~any of the laws of this state~~ revokes the license of ~~any a~~ a person under any law of this state, ~~such the~~
16 ~~license shall must~~ remain revoked and ~~shall not at any time thereafter be renewed nor shall any license be~~
17 ~~thereafter a new license may not be~~ issued to ~~such the~~ the person until ~~permitted under the motor vehicle laws~~
18 ~~of this state and not then unless and until he shall give and thereafter maintain the person files~~ proof of
19 financial responsibility with the department and is otherwise eligible to reapply for licensure under the law.

20 (2) If a person is not licensed, but by the final order or judgment is convicted of or forfeits ~~any~~
21 bail or collateral deposited to secure an appearance for trial for ~~any an~~ an offense requiring the revocation of
22 a license, ~~no a~~ a license ~~shall may not~~ may not be ~~thereafter~~ issued to ~~such the~~ the person until ~~he shall give and~~
23 ~~thereafter maintain the person files~~ proof of financial responsibility with the department and is otherwise
24 eligible to be licensed.

25 (3) ~~Whenever~~ If the department revokes a nonresident's operating privilege by reason of a
26 conviction or forfeiture of bail or collateral, ~~such the~~ the privilege ~~shall must~~ must remain ~~so~~ revoked ~~unless such~~
27 ~~person shall have previously given or shall immediately give and thereafter maintain until the person files~~
28 proof of financial responsibility with the department and meets the requirements for a new license.

29 (4) Except as provided in subsection (5), a person who is required to file proof of financial
30 responsibility under this section shall maintain the filing for a period of 3 years from the date that the proof

1 is first required. If the person does not maintain the filing, the person's driver's license must be suspended
2 by the department until the person refiles proof of financial responsibility.

3 (5) If a person who is required to file proof of financial responsibility under this section moves to
4 another jurisdiction and applies for a driver's license in that jurisdiction, the department may waive the
5 proof of financial responsibility requirement and clear the person for licensure in the other jurisdiction. If
6 the person returns to this state and seeks licensure prior to the completion of the original 3-year period
7 for maintaining the filing, the requirement of filing proof of financial responsibility must be reinstated by
8 the department."

9

10 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

11 - END -